

Exhibit Q

Email from T. Fares to R. Hickman re production

From: [Anthony Fares](#)
To: [Ryan Hickman](#)
Cc: hwonderofworld@gmail.com; [Kimberly Culp](#)
Subject: RE: Yuga Labs v. Ripples et al
Date: Tuesday, December 13, 2022 8:54:00 AM

Mr. Hickman, thank you for your response. We will wait to take any further action until December 19, 2022. To dispel any confusion, you must produce *all* documents responsive to Yuga Labs' subpoena by this date. While you have not asked for clarification as to what the subpoena requests, and we think the deposition was clear on what we are looking for, we are providing a further explanation as to what we expect to receive on December 19. You are required to conduct a reasonable search of your records, which search should at least include the terms "RR/BAYC", "BAYC", "Yuga Labs", "Bored Ape", and "Ape Market."

DOCUMENT REQUEST NO. 1: All Discord communications from January 2022 to present related to RR/BAYC NFTs, BAYC NFTs, and/or Yuga Labs.

- During your deposition, you testified that you have at least the following responsive documents: (a) a "Team Ape Market" group Discord chat with Tom Lehman and Defendants, (b) a private Discord chat with Tom Lehman, and (c) a private discord chat with Jeremy Cahen. You must produce these documents and any other responsive documents in your possession, custody, or control that you discover after a reasonably diligent search.
- Please produce all responsive communications in html format with the native images for attachments in the chat, which is the same format that your co-Developer Tom Lehman used to produce Discord communications in this action.

DOCUMENT REQUEST NO. 2: All email communications from January 2022 to present related to RR/BAYC NFTs, BAYC NFTs, and/or Yuga Labs.

- During your deposition, you testified that you have a number of email addresses, and you at least communicated with Tom Lehman via your hwonderofworld@gmail.com address. You also testified that you received communications from OpenSea regarding the de-listing of RR/BAYC NFTs. You must produce these communications and any other responsive communications in your possession, custody, or control that you discover after a reasonably diligent search.
- Please produce all responsive communications in native format, or alternatively in JPEG or PDF format, clearly showing the date of the communications and all participants involved.

DOCUMENT REQUEST NO. 3: All Telegram communications from January 2022 to present related to RR/BAYC NFTs, BAYC NFTs, and/or Yuga Labs.

- During your deposition, you testified that you previously had Telegram communications with Defendants and Lehman but deleted them in September of this year. You are required to conduct a reasonably diligent search for this and any existing or backup Telegram communications you have and produce any responsive documents in your possession, custody, or control. If, after conducting a reasonably diligent search, you still do not have any responsive documents, please so state in your response.
- Please produce all responsive communications in html format, which is the same format that your co-Developer Tom Lehman used to produce Telegram communications in this action.

DOCUMENT REQUEST NO. 4: All Signal communications from January 2022 to present related to RR/BAYC NFTs, BAYC NFTs, and/or Yuga Labs.

- During your deposition, you testified that you did not have the Signal app. You are required to conduct a reasonably diligent search for any Signal communications you have and produce any responsive documents in your possession, custody, or control. If, after conducting a reasonably diligent search, you still do not have any responsive documents, please so state in your response.
- Please produce all responsive communications in native format, or alternatively in JPEG or PDF format, clearly showing the date of the communications and all participants involved.

DOCUMENT REQUEST NO. 5: All non-public Twitter communications from January 2022 to present related to RR/BAYC NFTs, BAYC NFTs, and/or Yuga Labs.

- During your deposition, you testified that you have at least the following responsive documents: (a) communications in Twitter group chats about BAYC and (b) communications with Tom Lehman via Twitter about RR/BAYC. We also saw documents where you represented that you were receiving Twitter direct messages regarding RR/BAYC NFTs. You must produce these documents and any other responsive documents in your possession, custody, or control that you discover after a reasonably diligent search.
- Please produce all responsive communications in native format, or alternatively in JPEG or PDF format, clearly showing the date of the communications and all participants involved.

DOCUMENT REQUEST NO. 6: All Text or SMS messages from January 2022 to present related to RR/BAYC NFTs, BAYC NFTs, and/or Yuga Labs.

- During your deposition, you testified that you had at least the following responsive documents: (a) text messages with Defendant Ripps about RR/BAYC NFTs, (b) text messages with Defendant Cahen about RR/BAYC NFTs, and (c) “possibl[y]” text messages with Tom Lehman about RR/BAYC NFTs. You must produce these documents and any other responsive documents in your possession, custody, or control that you discover after a reasonably diligent search.
- Please produce all responsive communications in native format, or alternatively in JPEG or PDF format, clearly showing the date of the communications and all participants involved.

DOCUMENT REQUEST NO. 7: All source code related to RR/BAYC NFTs, including concerning the RR/BAYC Smart Contract, RR/BAYC RSVP Smart Contract, rrbayc.com, and/or apemarket.com.

- During your deposition, you testified that you had access to the source code for at least the following projects: (a) the rrbayc.com website, (b) the RRBAYC RSVP smart contract, and (c) the RR/BAYC smart contract. You must produce these documents and any other responsive documents in your possession, custody, or control that you discover after a reasonably diligent search.
- Please provide all such source code in native form.

DOCUMENT REQUEST NO. 8: All documents from January 2022 to present related to RR/BAYC NFTs, BAYC NFTs, and/or Yuga Labs, including any stored in a Google drive.

- During your deposition, you testified that a discussion with Mr. Cahen references a Google

doc, but that you would have to check to see if you had access to that specific document. We understand from Tom Lehman that there were likely other documents shared with you that were stored on a Google drive, and which would be responsive to this subpoena. We understand you have not otherwise searched any Google Drive for responsive documents. You are required to conduct a reasonably diligent search for these and all other responsive documents stored on your computer or a cloud-based storage service like Google Docs. You must produce any other responsive documents in your possession, custody, or control that you discover after a reasonably diligent search.

- Please produce all responsive communications in native format, or alternatively in JPEG or PDF format, clearly showing the date of the documents and all participants involved.

DOCUMENT REQUEST NO. 9: Documents sufficient to show any voice-to-voice conference with Defendant Ripps, Defendant Cahen, and/or Tom Lehman related to the RR/BAYC Smart Contract, RR/BAYC RSVP Smart Contract, RR/BAYC NFTs, BAYC NFTs, and/or Yuga Labs.

- During your deposition, you testified that you have *at least* the following responsive documents reflecting phone calls: (a) a phone call via Discord with Defendant Cahen about the RR/BAYC RSVP NFT contract, (b) phone calls via Discord with Tom Lehman about the RR/BAYC RSVP NFT contract and Ape Market, (c) a phone call with Defendant Ripps about the RR/BAYC RSVP NFT contract, (d) phone calls about promoting RR/BAYC, and (e) phone calls with Louis Tompros about this lawsuit. You must produce any recordings or notes of or related to these calls, or any other writing that reflects your responsive phone conversations.
- Please produce all responsive documents in native format, or alternatively in JPEG or PDF format showing the date of the document, the length of the conference, and all participants involved.

DOCUMENT REQUEST NO. 10: Documents sufficient to show every crypto address used by you to send, receive, or transfer funds related to any BAYC NFT or RR/BAYC NFT.

- During your deposition, you testified to the existence of one crypto wallet through which you received royalties. You must also produce documents sufficient to show other responsive crypto wallet addresses in your possession, custody, or control that you discover after a reasonably diligent search.
- Please produce all responsive documents in excel, JPEG, or PDF format, clearly indicating which address you own.

DOCUMENT REQUEST NO. 12: Documents sufficient to show your revenue, gross profits, and/or net profits from the sale of RR/BAYC NFTs.

- During your deposition, you testified to the existence of royalties transferred to your wallet as the result of RR/BAYC NFT sales. You must also produce documents sufficient to show all other revenue and profits in your possession, custody, or control that you discover after a reasonably diligent search.
- Please produce all responsive documents in excel, JPEG, or PDF format, clearly indicating which profits/revenue belongs to you.

Please confirm you will be producing these documents.

Best Regards,
Tony

Tony Fares
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From: Ryan Hickman <kingsrborn@gmail.com>
Sent: Saturday, December 10, 2022 10:43 AM
To: Anthony Fares <AFares@fenwick.com>
Cc: hwonderofworld@gmail.com; Kimberly Culp <KCulp@fenwick.com>
Subject: Re: Yuga Labs v. Ripps et al

**** EXTERNAL EMAIL ****

Great day.

I can provide documents on Dec 19th.

Thank you.

Ryan Hickman

"Everything you do matters"

On Thu, Dec 8, 2022 at 4:01 PM Anthony Fares <AFares@fenwick.com> wrote:

Mr. Hickman,

During yesterday's (December 7, 2022) deposition, you did not provide any responsive documents as required by Yuga Labs' subpoena. Yet your testimony confirmed that you have responsive documents in your possession, including (but not limited to) discord chats, text messages, and Twitter DMs. Your stated reason for not providing these documents is that you did not have time to procure them. This is not a valid excuse for failing to comply with the subpoena. Indeed, you have had approximately three months to collect the documents requested in Yuga Labs' September 8, 2022 subpoena and almost one month to collect the overlapping set of documents requested in Yuga Labs' November 14, 2022 subpoena.

At the end of the deposition, we requested a date certain by which you would provide documents responsive to Yuga Labs' subpoena. You responded that you were not sure but believed you could produce the requested documents sometime after December 17, 2022. We agreed to consider your proposal but noted that this date may not be acceptable. We will not accept an unnecessary

delay in the production of documents that have been due for months, as we have court ordered deadlines that are fast approaching in Yuga Labs' lawsuit. Please let us know if you will produce the requested documents fully and without objection and, if so, a date on which you commit to do so in order to avoid the risk of a motion to compel and associated sanctions.

Best Regards,

Tony

Tony Fares

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